




*Mike Wasserman, Mayor*  
*Diane McNutt, Vice Mayor*  
*Steve Glickman, Council Member*  
*Joe Pirzynski, Council Member*  
*Barbara Spector, Council Member*

**NOTICE OF SPECIAL MEETING**  
**TOWN OF LOS GATOS**  
**TOWN COUNCIL/PARKING AUTHORITY/**  
**REDEVELOPMENT AGENCY**  
**AUGUST 1, 2005**

***REGULAR COUNCIL MEETING WILL BE TELEVISED BEGINNING AT 7:00 P.M.***

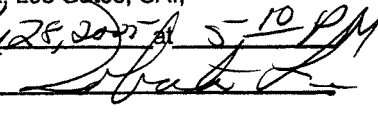
**NOTICE IS HEREBY GIVEN** that Mike Wasserman, Mayor of the Town Council of the Town of Los Gatos, called a Special Meeting for 5:45 p.m. to facilitate a Closed Session. Regular Town Council meeting will begin at 7:00 p.m.

  
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MarLyn Rasmussen, Clerk Administrator

Dated: July 28, 2005

cc: San Jose Mercury News  
Los Gatos Weekly Times  
Los Gatos Daily News  
Council Members  
Posted

County of Santa Clara, California  
I declare, under penalty of perjury, that I  
am employed by the Town of Los Gatos,  
Clerk Department, and that I posted this  
item on the Town Bulletin Board at 110 E.  
Main Street, Los Gatos, CA.,

on July 28, 2005 at 5:10 PM  
Signed 



**TOWN OF LOS GATOS  
TOWN COUNCIL  
CLOSED SESSION AGENDA  
110 EAST MAIN STREET - TOWN MANAGER'S OFFICE  
AUGUST 1, 2005 -- 5:45 P.M.**

*Mike Wasserman, Mayor  
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**CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Government Code Section 54956.8)**

Property:	Town of Los Gatos Wastewater System Assets
Negotiating parties:	Town of Los Gatos (Negotiator: Orry Korb, Town Attorney) West Valley Sanitation District (Negotiator: Robert Reid, General Manager)
Under Negotiation:	Price and terms of payment

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code Section 54957)**

Title: Town Attorney

**ADJOURNMENT**

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*Mike Wasserman, Mayor*  
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**TOWN OF LOS GATOS  
JOINT TOWN COUNCIL/PARKING AUTHORITY/  
REDEVELOPMENT AGENCY  
AUGUST 1, 2005  
110 East Main Street  
Council Chambers (Downstairs)  
Los Gatos, California**

**PARTICIPATION IN THE PUBLIC PROCESS**

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please complete a "speaker's card" located on the back of the chamber benches and return it to the Clerk Administrator. If you wish to speak to an item NOT on the agenda, you may do so during the "verbal communications" period. The time allocated to speakers may change to better facilitate the Town Council meeting.

The purpose of the Town Council meeting is to conduct the business of the community in an effective and efficient manner. This is done by following meeting guidelines set forth in State law and in the Town Code. Conduct which is considered disruptive during Town Council meetings include, but is not limited to:

- Addressing the Town Council without first being recognized;
- Interrupting speakers, Town Council, and Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the podium when directed to do so; and
- Repetitiously addressing the same subject.

For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Town Council meetings and treat everyone with respect and dignity.

**Town Council Meetings Broadcast Live on KCAT, Channel 15  
1<sup>st</sup> and 3<sup>rd</sup> Mondays at 7:00 p.m.**

**Rebroadcast of Town Council Meetings  
Following Saturday at 12:00 Noon**

**TOWN OF LOS GATOS  
JOINT TOWN COUNCIL/PARKING AUTHORITY/  
REDEVELOPMENT AGENCY**

**AUGUST 1, 2005  
7:00 P.M.**

**MEETING CALLED TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT**

**PRESENTATIONS**

Commendations

- Niosha Dance Academy (American Cancer Society Relay for Life)
- N. Santa Cruz Avenue Repaving Project
  - Duran and Venables, Incorporated (Contractor)
  - Project Team
  - Peter Martyn, Cat-Struction Walk Kids Challenge Winner

**TOWN COUNCIL**

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** *(Before the Town Council/Redevelopment Agency acts on the consent agenda, any member of the public or Town Council/Agency may request that any item be removed from the consent agenda. Consent items pulled at the request of the public will be considered after Public Hearings)*

1. Accept schedule of public hearings
2. Accept report on Town Manager approved actions during Council recess

*Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council/Redevelopment Agency must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law*

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT PATSY GARCIA AT (408) 354-6832. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING  
[28 CFR §35.102-35.104]**

## CONSENT ITEMS (continued)

3. Adopt resolution modifying a Conditional Use Permit for a restaurant (Sushi E!) to allow the service of beer and wine with meals on property zoned C-1. Conditional Use Permit U-05-014 APN: 407-33-021 Location: 1458 Pollard Road Property owner: Rinconada Hill Investment Co. Applicant: Yoon Nyoun Kim
4. Adopt resolution authorizing Town Manager to execute agreement between the Town of Los Gatos and the City of Monte Sereno for the 2005 Joint Street Resurfacing Project

## TOWN COUNCIL/REDEVELOPMENT AGENCY

5. Approve Council/Agency minutes of June 20, 2005
6. Project 04-13 - Santa Cruz Avenue Resurfacing  
Adopt resolution accepting work of Duran & Venables, Incorporated and authorizing the Town Manager/Executive Director to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator/Secretary of the Redevelopment Agency

**VERBAL COMMUNICATIONS** *(Up to three minutes may be allotted to each speaker to address matters that are not on tonight's agenda.)*

## TOWN COUNCIL

**PUBLIC HEARINGS** *(Applicants/Appellants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.)*

7. Abatement of Hazardous Vegetation (Brush)
  - a. Conduct public hearing to consider the report of the County Agricultural Commissioner's Office (available in the Clerk Department) on the abatement of hazardous vegetation (brush) for the 2004-2005 season
  - b. Take no further action
8. Abatement of Hazardous Vegetation (Weeds)
  - a. Conduct public hearing to consider the report of the County Agricultural Commissioner's Office (available in the Clerk Department) on the abatement of hazardous vegetation (weeds) for the 2004-2005 season
  - b. Adopt resolution approving said report (available in the Clerk Department)
9. Consider an appeal of the decision of the Planning Commission to approve a request to construct a second story addition to a single family residence on property zoned RM: 5-12. APN 529-18-014. Property location: 16942 Mitchell Avenue. Property owner/applicant/appellant: Doug Braga

## **PUBLIC HEARINGS** (continued)

10. Consider a request to modify a Conditional Use Permit to expand an existing restaurant, add additional seats and for an alternating use of parking on property zoned C-2. APN 529-03-035. Property location: 42/44 Elm Street. Property owner: Michael T. Cobler. Applicant: Nicholas A. Difu

## **OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

11. Consider a request to modify a Conditional Use Permit for a restaurant (The Wine Cellar) to legalize the increase in the number of seats, to modify the type of allowed entertainment and to increase the days when entertainment is available on property zoned C-2:PD:LHP. Conditional Use Permit U-03-7 APN 529-02-044 Location: 50 University Avenue, Suite 180 Property Owner: Federal Realty Applicant: Steve Hauck *(continued from 6/20/05)*

## **COUNCIL/TOWN MANAGER REPORTS**

12. Council Matters
13. Manager Matters

## **ADJOURNMENT** *(Council/Redevelopment Agency policy is to adjourn no later than midnight unless a majority of Council/Redevelopment Agency votes for an extension of time)*

*Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure § 1094.6; litigation challenging a decision of the Town Council/Redevelopment Agency must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.*